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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/616,140	07/13/2000	David Allen Coleman	AUS9-2000-0257-USI	4751
35525	7590	11/01/2005	EXAMINER	
IBM CORP (YA)			BLOUNT, STEVEN	
C/O YEE & ASSOCIATES PC			ART UNIT	
P.O. BOX 802333			PAPER NUMBER	
DALLAS, TX 75380			2668	

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/616,140

Applicant(s)

COLEMAN, DAVID ALLEN

Examiner

Steven Blount

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 - 3, 5 - 22, 47 - 49 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9 is/are allowed.
- 6) ☒ Claim(s) 1 - 3, 5 - 8, 10 - 22, 47 - 49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Objections*

1. Claims 23, 29, 30, 31, 32, 33, 34, and 39 are objected to. These claims have been both amended and withdraw

### *Claim Rejections - 35 USC § 103*

2. Claims 1 – 3, 5, 8, 10 – 11, 14, and 47 - 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese patent abstract 09-054741 to Yoshihiro.

With regard to claim 1, Yoshihiro teaches a method of communicating between the first device (4) and any other device (4) comprising receiving input to the data stream carried along line 1, wherein all of the other devices (4) submit data to this main data line, wherein output is received by this device (4) based on the input from this device (ie, the conferee's communication will cause the other conferee's communication to respond to it) and the plurality of other devices (ie, those other participants in the conference). Although the "groupware" mentioned in the abstract is not specifically labeled as being a "pseudo-terminal", one of ordinary skill in the art would recognize that since the said groupware operates under the control of software, it would qualify as a "pseudoterminal".

With regard to claims 2 – 3, 5, 8, and 10 - 11, the member 2 can be considered to be a data stream splitter, and it would obviously have a manager used to operate it.

With regard to claims 14, 47, and 48 – 49, see the rejections above.

3. Claims 6, 7, 12 - 13, and 15 - 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese patent abstract 09-054741 to Yoshihiro in view of U.S. patent 5,337,412 to Baker et al.

With regard to claims 6 – 7, Yoshirhiro et al teaches the invention as described above, but does not teach the use of a splitter table. The use of a table for storing values in this manner is described in Baker et al in col 5 lines 60+ to col 6 lines 24+. It would have been obvious to one of ordinary skill in the art at the time of the invention to have used a table to store the data values in Yoshihiro in light of the teachings of Baker et al in order to provide a means for sending the data to the proper conferees..

With regard to claim 12, see the use of a buffer in col 9 lines 60+ of Baker et al.

With regard to claim 13, see the rejection of claims 6 – 7 above.

With regard to claims 15 – 22, see the rejections above.

4. Claim 9 is allowed.

### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Blount whose telephone number is 703-305-0319. The examiner can normally be reached on M-F 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Chau Nguyen, can be reached on 571 - 272 - 3071. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**Ajit Patel**  
**Primary Examiner**

SB  
  
10/19/05